

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT:
THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR
FRIDAY, THE 24TH DAY OF JULY 2015/2ND SRAVANA, 1937**

WP(C).NO. 22426 OF 2015 (C)

PETITIONER(S):

**1. SMT. BINDU P
JR.HIGHER SECONDARY SCHOOL TEACHER (COMMERCE),
S.D.V.H.S.S
PERAMANGALAM
THRISSUR**

**2.SMT.SHIBINA
JR.HIGHER SECONDARY SCHOOL TEACHER (ENGLISH),
S.D.V.H.S.S
PERAMANGALAM
THRISSUR**

**3. PRASAD G.PILLA
LABORATORY ASSISTANT
S.D.V.H.S.S
PERAMANGALAM
THRISSUR**

**BY ADV. SRI.MVS.NAMBOOTHIRY
RESPONDENT(S):**

**1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695001**

**2. THE DIRECTOR OF HIGHER SECONDARY EDUCATION
HOUSING BOARD BUILDINGS, SANTHI NAGAR
THIRUVANANTHAPURAM-695001**

**3. THE REGIONAL DEPUTY DIRECTOR
HIGHER SECONDARY EDUCATION,
EDAPPALLY, ERNAKULAM-682 024**

**4. THE MANAGER
SREE DURGA VILASAM HIGHER SECONDARY SCHOOL
PERAMANGALAM
THRISSUR-680 545**

**5. THE PRINCIPAL
SREE DURGA VILASAM HIGHER SECONDARY SCHOOL
PERAMANGALAM
THRISSUR-680 545
BY GOVERNMENT PLEADER SMT.M.J.RAJASREE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE APPOINTMENT ORDER DATED 18.03.2013 ISSUED TO THE 1ST PETITIONER

EXT.P2:TRUE COPY OF THE JOINING REPORT OF THE 1ST PETITIONER

EXT.P3:TRUE COPY OF THE PROCEEDINGS OF THE 3RD RESPONDENT DATED 23.5.2014

EXT.P4:TRUE COPY OF THE APPOINTMENT ORDER DATED 18.03.2013 ISSUED TO THE 2ND PETITIONER

EXT.P5:TRUE COPY OF THE JOINING REPORT OF THE 2ND PETITIONER

EXT.P6:TRUE COPY OF THE PROCEEDINGS OF THE 3RD RESPONDENT DATED 23.5.2014

EXT.P7:TRUE COPY OF THE APPOINTMENT ORDER DATED 27.03.2013 ISSUED TO THE 3RD PETITIONER

EXT.P8:TRUE COPY OF THE JOINING REPORT OF THE 3RD PETITIONER

EXT.P9:TRUE COPY OF THE PROCEEDINGS OF THE 3RD RESPONDENT DATED 8.11.2013

EXT.P10:TRUE COPY OF THE JUDGMENT DATED 22.5.2012 IN W.P.(C).NO.5709/2007 OF THIS HON'BLE COURT

EXT.P11:TRUE COPY OF THE JUDGMENT DATED 04.06.2015 IN W.P.(C).NO.16696/20015 OF THIS HON'BLE COURT

RESPONDENTS' EXHIBITS: NIL

//TRUE COPY//

P A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.22426 of 2015
.....

Dated this the 24th day of July, 2015

J U D G M E N T

The issue involved in the writ petition is squarely covered in favour of the petitioner By Ext.P11 judgment of this Court.

Resultantly, the orders impugned in the writ petition, that approve the appointment of the petitioners as HSST with effect from a date, subsequent to the date of their actual appointment in the School, are quashed and the writ petition allowed by holding that the petitioners are entitled to approval of their appointment with effect from the date of their appointment in the School. As a consequence of the aforesaid direction, I also make it clear that the petitioners would not be required to pay contribution to the Contributory Pension Scheme that was introduced with effect from 01.04.2013.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

mns

